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9 **Attorney for Defendant MICKEY GINES**

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA ) Case No.: 2:13-cr-355-GMN-CWH

13 Plaintiff, ) **STIPULATION TO CONTINUE**  
14 ) **SENTENCING HEARING**

15 vs. ) **ELEVENTH REQUEST**

16 MICKEY GINES, )

17 Defendant. )

18 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United  
19 States Attorney by and through Daniel J. Cowhig, Assistant United States Attorney, and Defendant  
20 Mickey Gines, by and through his counsel, Mace J. Yampolsky, Esq., that:

- 21 1. Defendant Mickey Gines' Sentencing Hearing, currently scheduled for July 19,  
22 2018, at the hour of 1:30 p.m., be continued for a period not to exceed thirty days,  
23 to be determined by the convenience of the Court.
- 24 2. The parties agree the sentencing of Defendant Gines is not yet ripe. The parties  
25 request the Court continue sentencing for approximately thirty days.
3. The Defendant is out of custody and agrees to continuance of the sentencing  
hearing.
4. The Defendant waives any right he might have to speedy sentencing in this matter.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
  6. This is the eleventh request to continue sentencing in this case.
  7. Defense and Government counsel agree that the proposed continuance is sought in good faith and not for purposes of delay.

DATED this 18<sup>th</sup> day of July, 2018.

## OFFICE OF THE U.S. ATTORNEY

MACE J. YAMPOLSKY, LTD.

/s/ Daniel J. Cowhig  
Daniel J. Cowhig  
Assistant United States Attorney

/s/ Mace J. Yampolsky  
Mace J. Yampolsky, Esq.  
Counsel for Defendant Gines

**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA**

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

1. Defendant MICKEY GINES' Sentencing Hearing is currently scheduled for July 19, 2018, at the hour of 1:30 p.m.
  2. The parties agree the sentencing of Defendant Gines is not yet ripe. The parties request the Court continue sentencing for thirty days.
  3. The Defendant is out of custody and agrees to continuance of the sentencing hearing.
  4. The Defendant has waived any right he might have to speedy sentencing in this matter.
  5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
  6. This is the eleventh request to continue sentencing in this case.
  7. Defense and Government counsel agree that the proposed continuance is sought in good faith and not for purposes of delay.

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**CONCLUSIONS OF LAW**

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Based on the fact that the parties agree the sentencing of Defendant Gines is not yet ripe,  
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and based on the fact that counsel for the parties do not object to the continuance, and based on  
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the fact that denial of this request for continuance could result in a miscarriage of justice; the Court  
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hereby concludes that:

- 6  
1. The ends of justice are served by granting said continuance since the failure to grant  
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said continuance would be likely to result in a miscarriage of justice.

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**ORDER**

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IT IS THEREFORE ORDERED that the sentencing currently scheduled for July 19,  
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2019, at the hour of 1:30 p.m., be vacated and continued for a period of thirty days until  
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September 19, 2018, at 9:30 a.m. in Courtroom 7D before Chief Judge Gloria M. Navarro.

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IT IS FURTHER ORDERED that this is a firm trial date and no further continuances will  
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be granted without a hearing to demonstrate a sufficient basis to delay trial.

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UNITED STATES DISTRICT JUDGE  
DATED: July 19, 2018.